

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CARLOS JOSE ZAVALA VELASQUEZ,

Defendant.

15 Cr. 174-05 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on June 15, 2017 Defendant pleaded guilty to Conspiracy to Import Cocaine to the United States and to Manufacture and Distribute Cocaine. On June 26, 2018, the Court found that Defendant had a Total Offense Level of 37 and a Criminal History Category of I, resulting in an advisory Guidelines range of 210 to 240 months' imprisonment. Defendant was sentenced principally to a below-Guidelines term of imprisonment of 144 months.

WHEREAS, on September 19, 2024, Defendant filed motion for a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines, which went into effect on November 1, 2023, and applies retroactively.

WHEREAS, on October 11, 2024, the Probation Department issued a Supplemental Presentence Investigation Report ("Supplemental PSR"), which concludes that Defendant appears to be eligible for a "zero-point offender" offense level reduction pursuant to U.S.S.G. § 4C1.1 but is ineligible for a sentence reduction because the original sentence was at or below the low end of the amended guideline range.

WHEREAS, Defendant is ineligible for a “status point reduction” under the changes to U.S.S.G. § 4A1.1 because he did not receive an enhancement for committing these offenses while under a criminal justice sentence.

WHEREAS, the Court finds that Defendant is eligible for a “zero-point offender” reduction, having met the criteria set forth in U.S.S.G. § 4C1.1(a). This reduction decreases his offense level by two points from 37 to 35, resulting in an advisory Guidelines range of 168 to 210 months.

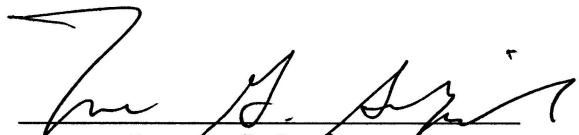
WHEREAS, having reviewed the record in this case, including Defendant’s new advisory Guidelines range, I find that a reduction in Defendant’s sentence is unwarranted. The previously imposed custodial sentence of 144 months remains significantly below the advisory Guidelines range and takes into account Defendant’s lack of criminal history, the offense conduct for which he pleaded guilty and his personal circumstances as defined in 18 U.S.C. § 3553(a). For these reasons, it is hereby

ORDERED that Defendant’s motion for a reduction of sentence is **DENIED**.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 606 and to mail a copy of this Order to Defendant at the following address.

Carlos Jose Zavala Velasquez (Reg. No. 91115-054)
MDC Brooklyn
P.O. BOX 329002
Brooklyn, NY 11232

Dated: February 26, 2025
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE